

MEETINGS TO DATE 18
NO. OF REGULARS 17
NO. OF SPECIALS 1

Page 461
LANCASTER, NEW YORK
SEPTEMBER 7, 1982

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 7th of September, 1982, at 8:00 P.M. and there were:

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
LEONARD E. GRZYBOWSKI, COUNCILMAN
DONALD E. KWAK, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
VIRGIL J. PAUL, HIGHWAY SUPERINTENDENT
THOMAS E. FOWLER, CHIEF OF POLICE
ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARING SCHEDULED FOR 8:00 P.M.:

At 8:05 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens for or against the "Proposed Uses" of Federal Revenue Sharing Funds received to be received by the Town of Lancaster for the year 1983.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Supervisor explained to those present the purpose of the hearing, the past and present uses for Federal Revenue Sharing Funds received and asked for comments and suggestions on future uses.

COMMENTS AND SUGGESTIONS NONE

PUBLIC HEARING SCHEDULED FOR 8:00 P.M. CONT'D.:

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK,
AND CARRIED by unanimous voice vote, the Public Hearing was closed at 8:10 P.M.

PUBLIC HEARING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board held a Public Hearing to hear all interested parties and citizens upon the proposed zoning amendment as petitioned by Josela Enterprises.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed Certified Mail, Return Receipt Requested, to the Petitioner, and the Erie County Department of Planning, notifying these individuals of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Department of Planning wherein the Department acknowledged receipt of a Notice of this Public Hearing and commented as follows:

"The Proposed zoning action is subject to review; the Division has no objection thereto".

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone, with certain stipulations.

Councilman Kwak presented a communication from the Town Planning Consultant, Richard F. Brox, to the Planning Board, recommending a favorable review of the proposed rezone with certain restrictions;

PROPOSERS:

James Riffel, Vice President
Land Development,
Josela Enterprises, Inc.

OPPOSERS:

Joyce Molino

Henry Schenk

Aurelius Chauis

David Jerome

ADDRESS:

4875 Broadway
Depew, New York

ADDRESS:

25 Old Schoolhouse Road

1 Old Schoolhouse Road

3666 Bowen Road

3763 Bowen Road

PUBLIC HEARING SCHEDULED FOR 8:15 P.M. CONT'D.:

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN CZAPLA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:10 P.M. with a direction to the Town Clerk to receive written comments until Noon, Friday, September 17, 1982.

The Supervisor informed those present that the Town Board would reserve decision on this matter until a future meeting, most probably, September 20, 1982 or October 4, 1982.

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

None

PRESENTATION OF PREFILED RESOLUTIONS

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
August 16, 1982, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town of Lancaster has sold Bond Anticipation Notes
in the amount of \$785,000.00, and

WHEREAS, the closing of such sale is scheduled in New York City
on September 9, 1982.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor and if necessary, the Town Clerk of
the Town of Lancaster be and is hereby authorized to attend the closing of the
sale of \$785,000.00 in obligations of the Town of Lancaster in New York City on
September 9, 1982, and

BE IT FURTHER

RESOLVED, that all ordinary and necessary expense reimbursement
required for the attendance of the Supervisor and if necessary, the Town Clerk,
be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~xxxy~~
The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Highway Department of the Town of Lancaster, New York, one (1) New and Unused 1982 or 1983 10,000 G.V.W. Dump Truck, in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on August 16, 1982, and

WHEREAS, MAIER-SCHULE GMC, INC., 1745 Walden Avenue. Buffalo, New York, has submitted a "Net Bid with Trade" for the furnishing of one (1) New and Unused 1982 or 1983, 10,000 G.V.W. Dump Truck, for the sum of \$9,594.00, and

WHEREAS, the Superintendent of Highways of the Town of Lancaster has recommended the purchase of the above mentioned vehicle, and further that said bid is the lowest responsible "Net Bid with Trade" submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low "Net Bid with Trade" of MAIER-SCHULE GMC, INC. 1745 Walden Avenue, Buffalo, New York, in the net amount of \$9,594.00, for One (1) New and Unused 1982 or 1983, 10,000 G.V.W. Dump Truck be and the same is hereby authorized to be placed and that delivery be made not later than seventy-five (75) days after date of order, with terms of payment to be as follows:

1. Check from proceeds of Bond Anticipation Note - \$9,594.00

A contract for purchase of the item shall be duly executed between the Town Superintendent of Highways and such vendor, and when duly approved by the Erie County Superintendent of Highways, it shall become effective. When such contract has been duly executed and approved, the Supervisor is authorized to complete such purchase upon delivery of the item purchased in accordance with the terms of the Bond Resolution and such contract.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN GRZYBOWSKI , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT

RESOLVED, that the following transfers within the General Fund and
 Community Development Fund be and hereby are effected:

<u>GENERAL FUND:</u>	<u>Increase</u>	<u>Decrease</u>
1990 Contingent		\$3,100.00
8560.4 Shade Trees Contractual Exp.	\$3,100.00	
 <u>COMMUNITY DEVELOPMENT FUND:</u>		
Project No. 435313 Barrier Removal-Senior Citizens	1,403.02	
Project No. 434088 Clark Street Waterline		1,403.02
Project No. 434051 Housing Rehab./Sewer Tap In	5,000.00	
Project No. 435312 Housing Inspection		5,000.00

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~clerk~~
 The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN GIZA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GRZYBOWSKI , TO WIT:

WHEREAS, certain on-site modifications in the construction of the
 Opera House Restoration Project have resulted in the necessity of a change
 order, and

WHEREAS, the Town of Lancaster's Architect has recommended such
 change order be accepted by the Town of Lancaster, and said change order is
 on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and
 directed to execute the following change order:

Change Order No. 2 - Heating Contract -
Dan Marzec Plumbing & Heating, Inc.

1. Replace damaged refractory brick in boiler with new refractory brick	ADD \$	128.00
2. Relocate existing water line in boiler room to pass around new fresh air intake duct	ADD	244.00
3. Relocate basement toilet vent fan from men's toilet to electrical room to avoid interfer- ence with toilet stall; add 7' additional duct work and insulation; add new painted insulated panel as per specs, with access door, in electrical room window; relocate hot water heating piping along north wall to permit concealing vent duct behind new furring at outside wall	ADD	1,798.00
	TOTAL ADD	2,170.00
4. Omit installation of new electric heaters in men's toilet, women's toilet, and electrical room; heaters to remain property of Town of Lancaster	DEDUCT	112.00
	NET TOTAL ADDITION	\$11,158.00

Amount of contract prior to this change order	\$ 9,100.00
Amount of this change order to be added:	2,058.00
Net amount of contract, including this change order	\$11,158.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZBYOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~dot key~~
The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board has heretofore received bids for the purpose
of reconstruction work on the industrial road south of Walden Avenue in the
Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the recommendation and report of
Krehbiel Associates, Inc., dated September 2, 1982 and filed with the Town Clerk,
the contract for the reconstruction of said Industrial Road be and hereby is
awarded to ROBINSON & LONG, INC., 75 Erie Street, Tonawanda, New York, in the
full amount of \$58,895.00, being the lowest responsible bid in accordance with
the specifications on file with the Town Clerk, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed
to execute the contract for same.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board, by letter dated August 17, 1982, has recommended the appointment of certain individuals to the Town of Lancaster Volunteer Ambulance Corps and recommended the deletion of certain individuals from said Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions and deletions be made to the membership of the Town of Lancaster Ambulance Corps:

ADDITIONS

Roger L. Harris
58 Terrell Street
Depew, New York

Bert N. Pandolfino
336 Argus Drive
Depew, New York

DELETIONS

Samuel Marciano
Maureen Klein
Harold Schroeder
Patricia Lewandowski
Kenneth Deutschlander

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated August 27, 1982, has requested permission to attend the Annual Conference of the New York State Association of Town Superintendents of Highways, Inc. from Tuesday, September 28, 1982 thru Friday, October 1, 1982 at Swan Lake, New York.

NOW, THEREFORE, BE IT

RESOLVED, that Virgil J. Paul, Highway Superintendent of the Town of Lancaster, be and is hereby authorized to attend the Annual Conference of the New York State Association of Town Superintendents of Highways, Inc. at Swan Lake, New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized in an amount not to exceed \$250.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, a Northeast Municipal Summit is scheduled to be held on
September 10th through September 12th, 1982, in Falmouth, Massachusetts, and

WHEREAS, the Supervisor has indicated an interest in attending
this Summit,

NOW, THEREFORE, BE IT

RESOLVED, that STANLEY JAY KEYSA, the Supervisor of the Town of
Lancaster, be and is hereby authorized to attend the Northeast Municipal
Summit to be held in Falmouth, Massachusetts, from September 10th through
September 12th, 1982, and

BE IT FURTHER

RESOLVED, that all ordinary and necessary expense reimbursement,
required for the attendance of the Supervisor at said Summit, be and is
hereby authorized.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Assessor of the Town of Lancaster, by letter dated
September 2, 1982, has requested that the Real Property Appraiser be
authorized to attend the Annual Assessment Conference to be held at Swan
Lake, New York, from September 19th to September 22nd, 1982,

NOW, THEREFORE, BE IT

RESOLVED, that THOMAS E. KUNZ be and is hereby authorized to
attend the aforementioned conference, and

BE IT FURTHER

RESOLVED, that expense reimbursement be and is hereby authorized
in an amount not to exceed \$375.00, plus mileage.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~only~~
The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN GRZYBOWSKI , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
 ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 2392 to 2500 Incl.	\$273,709.04
Highway Fund	No. 1236 to 1262 Incl.	\$ 44,443.63
Special District Fund.	No. 598 to 601 Incl.	\$ 10,677.29
Trust & Agency Fund	No. 597 to 602 Incl.	\$ 24,627.38
Federal Revenue Sharing Fund	No. 405 to 417 Incl.	\$ 9,997.26
Capital Fund	No. 642 to 644 Incl.	\$ 11,666.04
Community Development Fund	No. 1091 to 1091 Incl.	\$ 61.52

and

BE IT FURTHER

RESOLVED, that the claim of Taylor Rental Center for \$61.52, dated
 August 30, 1982, be and is hereby approved and the Supervisor be and is
 hereby ordered to submit this claim for payment from Community Development
 Project No. 435313, Barrier Removal Senior Citizens Center.

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~clerk~~
 The resolution was thereupon unanimously adopted.

September 7, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA , TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
139	Lillian A. Lieder	201 Peppermint Rd.	ER. FR. PVT. GARAGE
140	Helenbrook Homes	339 Broezel Ave.	EXT. FR. SIN. DWLG
141	Jos. Syty	46 Heritage Hills	ER. POOL
142	Rose Gatti	5021 William	ER. FR. STORAGE BLDG.
143	Richard Kobza	5241 Genesee Rd.	ER. FR. STORAGE BLDG.
144	Richard C. Wahl	95 Stutzman Rd.	ER. FENCE
145	Eckert Homes Inc.	43 Steinfeldt Rd.	ER. FR. SIN. DWLG. & GARAGE
146	Allan Building Corp.	1476 Town Line Rd.	ER. FR. SIN. DWLG
147	Kenneth Biecke	37 Maple Dr.	EXT. FR. SIN. DWLG
148	Josela Enter.	7 Country Pl.	ER. FR. SIN. DWLG, PVT. GARAGE
149	Russell Salvatore	6461 Transit Rd.	ER. FENCE
150	Wilbert Messer	46 Main Street	EXT. FR. SIN. DWLG.

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
 COUNCILMAN GIZA VOTED YES
 COUNCILMAN GRZYBOWSKI VOTED YES
 COUNCILMAN KWAK VOTED YES
 SUPERVISOR KEYSA VOTED YES

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The resolution was thereupon unanimously adopted.

September 7, 1982

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, certain on-site modifications in the construction of the Industrial Road Project on the south side of Walden Avenue have resulted in the necessity of a change order, and

WHEREAS, the Town of Lancaster's Engineer, Krehbiel Associates, Inc. have recommended such change order be accepted by the Town of Lancaster, and said change order is on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute the following change order:

Change Order No. 1 - Street Reconstruction Industrial Park Road
Robinson & Long, Incorporated

Cost of work as Bid	\$58,895.00
1. Change grade of storm sewer to parallel curbing grades	Deduct \$ 213.00
2. Eliminate Curbing at Turn Around 73.0' @ \$9.95	Deduct 726.00
3. Eliminate Barricade at Turn Around 1 ea. @ \$350.00	Deduct 350.00
4. Eliminate Receivers on Shoulders 6 ea. @ \$495.00	Deduct 2,970.00
5. Eliminate 12" CMP connections 60.0' @ \$18.50	Deduct 1,110.00
Total Deductions	<u>5,369.00</u>
	\$53,526.00
6. Add Tack Coat over entire surface to receive 1" Top Course	950.00
7. Lawn Drains in lieu of Receivers and 12" CMP	
6 Units with connections @ \$350.00 ea.	2,100.00
Total Additions	<u>\$ 3,050.00</u>
Total Adjusted Contract Price	\$56,576.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 7, 1982

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution -
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Dog Control Officer has recommended the appointment of Ernest W. Brown, 13 Laverack Avenue, Lancaster, New York, to the position of Substitute Dog Control Officer (P.T.), and

WHEREAS, Ernest W. Brown has the necessary experience and training to fulfill the obligations of this position,

NOW, THEREFORE, BE IT

RESOLVED, that Ernest W. Brown, 13 Laverack Avenue, Lancaster, New York, be and is hereby appointed to the position of Substitute Dog Control Officer (P.T.) in the service of the Town of Lancaster, to be paid at a rate of \$6.54 per hour when working, and

BE IT FURTHER

RESOLVED, that said individual while performing the duties in said position shall have all the duties, responsibilities, and powers of the Dog Control Officer as defined under the Laws of the State of New York, and

BE IT FURTHER

RESOLVED, that said appointment is for the term September 7, 1982 to December 31, 1983.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED NO
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon ^{duly} ~~unanimously~~ adopted.

September 7, 1982

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, certain on-site modifications in the construction of the Roof Reconstruction Projects at the Walden Avenue Garage and the Police and Court Buildings at the Lancaster Town Center have resulted in the necessity of a change order, and

WHEREAS, the Town of Lancaster's Architect, Habiterria Associates, by letter dated August 31, 1982, has recommended such change order be accepted by the Town of Lancaster, and said change order is on file with the Town Clerk,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute the following change order:

Change Order No. 1 - Roof Reconstruction Project
Carmody Roofing

1. Substitution of Carlisle Fully Adhered Roof Membrane for Sarnafil Roof Membrane as originally specified in specifications	ADD	\$.00
	DEDUCT		.00
CONTRACT NET CHANGE		\$.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

The resolution was thereupon unanimously adopted.

September 7, 1982

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit Application - Walt's Tree Service
On April 16, 1981, the Planning Board recommended denial of this application. On April 20, 1981, the Town Board returned this application to the Planning Board for further review and recommendation.
2. Public Improvement Permit Authorization - Countryside Subdivision, Phase I (Josela)
The Town Board, on October 1, 1979, authorized issuance of P.I.P. No. 75 (street lighting) and P.I.P. No. 76 (sidewalks) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase I (Marrano)
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1982.
4. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase I
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Rezone Petition - Josela Enterprises, Inc.
On September 7, 1982, the Town Board held a Public Hearing on this matter and reserved decision.
7. Subdivision Approval - Lancaster Industrial Commerce Center
On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of water, sanitary sewer, and drainage district applications.
8. Subdivision Approval - Plumb Bottom Estates
On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
9. Traffic Study - Genesee Street and Ransom Road
On July 19, 1982, the N.Y.S. Dept. of Transportation was again petitioned to expedite this traffic study due to a fatality which occurred July 15, 1982.
10. Traffic Study - Green Arrows at Central and Walden Avenues
On March 20, 1982, the N.Y.S. Dept. of Transportation notified the Town Board that green arrows will be installed at this intersection.
11. Traffic Study - Speed Reduction on William Street
On May 20, 1982, the N.Y.S. Dept. of Transportation reported that they are re-evaluating this matter as their caseload permits.

PERSONS ADDRESSING TOWN BOARD:

None

COMMUNICATIONS:
DISPOSITION

579. Town Clerk to Fire Chiefs and Presidents -
Notification of annual inspection to be
held 9/18/82.
580. Ambulance Board to Town Board -
Recommendation of additions and deletions
to active roster.
581. Kurk Co. to Town Clerk -
Offer to quote gas prices.
582. Town Clerk to Lillian A. Lieder -
Transmittal of resolution granting
variance petition.
583. Municipal Police Services to Supervisor -
Notification of mandatory training for
peace officers/constables.
584. N.Y.S. Div. of Equalization and Assessment
to Supervisor -
Transmittal of revised Residential
Assessment ratio.
585. Association of Towns to Supervisor -
Announcement of 1983 Association dues.
586. Supervisor to Various Area Dealers -
Request contractors names regarding
Industrial Road project.
587. Supervisor to Highway Supt. -
Direction regarding relaying of telephone
calls to Buildings Foreman.
588. Town Clerk to Town Board -
Resume of actions taken in regards to Town
Board meeting held 8/16/82.
589. Buildings Foreman to Town Board -
Comments and recommendations regarding
water lines on Town property.
590. Supervisor to N.Y.S. Div. of Local
Government and Community Services -
Transmittal of photocopies of formal
agreements.
591. Supervisor to Highway Supt. -
Notification of extension of certain
benefits to foremen.
592. U.S. Dept. of the Interior to Supervisor -
Transmittal of application to apply for
acquisition of Nike site.
593. Assessor to Town Board -
1983 Annual Report.
594. Highway Supt. to Town Board -
Recommendation that bid for F.V.W.
Dump Truck be awarded to Maier-Schule
GMC, Inc.
595. Dep. Town Clerk to Four Fire Chiefs and
Presidents -
Notification of revised commitments
regarding annual inspection.

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CAPITAL COMMITTEE

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COMMUNICATIONS CONT'D.:DISPOSITION

596. Ernest W. Brown to Supervisor - Application for part-time position in D.C.O. department.	R & F
597. Jack Greenan to Supervisor - Compliment to cast of "The Boyfriend".	R & F
598. Supervisor to J. Trojanowsky and David Parra - Commendation of production of "The Boyfriend".	R & F
599. Recreation Director to Town Board - Request assignment of Walter Przybyl as temporary chairman of Recreation Commission.	R & F
600. Building Inspector to Town Board - Monthly report for August 1982.	R & F
601. Town Engineers to Town Board - Engineering annual contract offer for 1983.	BUDGET COMMITTEE
602. Assessor to Town Board - Corrected copy of 1983 Annual Report.	R & F
603. Sr. Citizens Director to Town Board - Notification of use of Community Center for activities until remodeling of Clark St. facility is completed.	R & F
604. N.Y.S. Dept. of Agriculture & Markets to Supervisor - List of agricultural districts program workshops.	TOWN ATTORNEY
605. Supervisor to Dept. Heads and Councilmen - Schedule for 1983 Budget review.	R & F
606. County Dept. of Environment and Planning to Supervisor - Sampling results for samples taken 6/82.	R & F
607. Supervisor to Town Board - Request transfer of funds regarding CD program.	R & F
608. Building Inspector to Town Board - Request that police vehicle to be traded be retained for Building Dept. use.	BUDGET - POLICE CHIEF
609. Building Inspector to Town Board - Request consideration be given to posting of all town right of ways.	HIGHWAY SUPERINTENDENT
610. Highway Supt. to Town Board - Request authorization to attend 53rd Annual Conference of Town Superintendents to be held at Swan Lake from 9/28-10/1/82.	R & F
611. D.C.O. to Town Board - Monthly report for August 1982.	R & F
612. Town Engineers to Town Board - Recommendation that Robinson & Long, Inc. be awarded the Industrial Park Road project contract.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

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| 613. Town Attorney to Supervisor -
Opinion regarding Peace Officers Training
Course as relates to Town civil officials. | <u>R & F</u> |
| 614. Town Attorney to Supervisor -
Transmittal of Internal Revenue Code
regarding issuance of tax exempt bonds by
volunteer fire companies. | <u>TOWN ATTORNEY</u> |
| 615. Habiterria Associates to Supervisor -
Recommendation that Carmody Roofing be
authorized to substitute roofing membrane
in roofing reconstruction project. | <u>R & F</u> |
| 616. Town Clerk to Town Board -
Transmittal of bid tabulation sheet in
regards to Industrial Park Road reconstruc-
tion bid opening held 9/1/82. | <u>R & F</u> |
| 617. Town Clerk to Supervisor -
Monthly report for August 1982. | <u>R & F</u> |
| 618. N.Y.S. Dept. of Taxation and Finance to
Supervisor -
Information regarding purchases of
automotive fuel on or after 9/82. | <u>CLARENCE RAINESS & CO.</u> |
| 619. Supervisor to Town Board -
Notification of various funds invested
during August 1982. | <u>R & F</u> |
| 620. Supervisor to Town Board -
Notification of BAN bids received on
8/30/82. | <u>R & F</u> |
| 621. Assessor to Town Board -
Request that Thomas Kunz be authorized to
attend Annual Assessment Conference to be
held at Swan Lake, N.Y. from 9/19-22/82. | <u>R & F</u> |
| 622. Lancaster-Depew Community Theatre to
Supervisor -
Request renting remainder of Building G
at Lancaster Town Center. | <u>BUILDING COMMITTEE-
INVESTIGATING COMMITTEE</u> |
| 623. D.C.O. to Town Board -
Information regarding dog enumeration. | <u>PUBLIC SAFETY COMMITTEE</u> |
| 624. Tree Planting Committee Chairman to
Supervisor -
Request transfer of funds. | <u>R & F</u> |
| 625. Planning Board to Town Board -
Minutes from meeting held 9/3/82. | <u>R & F</u> |
| Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications: | |
| 626. Niagara Frontier Transportation Committee to
Supervisor -
NFTC Transit Operating Assistance Study-
Public Information Report/Questionnaire. | <u>R & F</u> |
| 627. Depew Village Attorney to Supervisor -
Request that Town share cost of St. James
Bridge demolition. | <u>ATTY. FOR REPLY</u> |

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 10:10 P.M.

Signed Robert P. Thill
Robert P. Thill, Town Clerk